



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

US EPA RECORDS CENTER REGION 5



428638

NOV 30 2001

REPLY TO THE ATTENTION OF

CERTIFIED MAIL

SR-6J

RETURN RECEIPT REQUESTED

Re: Request for Information Pursuant to Section 104e of CERCLA
for Ilada Waste Company, St. Clair County, Dupo, Illinois

Dear Sir or Madam:

The U.S. Environmental Protection Agency (U.S. EPA or Agency) is investigating the Ilada Waste Company Site (the Site) in St. Clair County, East Carondolet, Illinois. This Site is located at Rt. 1, Box 159, East Carondolet, Illinois, 62240. The U.S. EPA believes that you may have information that is relevant to the investigation of contamination at the Site. Enclosure 1 is a summary of the history of this Site and the results of U.S. EPA's investigation.

The U.S. EPA asks that you provide information and documents relating to the contamination of the Site. Please respond completely and truthfully to this Information Request and its questions in Enclosure 2 within thirty days of your receipt of this letter. Instructions for completion of this response are in Enclosure 3; definitions of terms used in this Information Request and its questions are in Enclosure 4.

You may consider some information that we request as confidential. If you wish to assert a privilege of business confidentiality, you must respond to the question and advise U.S. EPA that you request that the Agency treat the response as confidential business information. Directions to assert a claim of business confidentiality are in Enclosure 5.

The Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §9601, *et seq.*, commonly referred to as CERCLA (or Superfund) gives the U.S. EPA the authority to:

1) assess contaminated sites, 2) determine the threats to human health and the environment posed by a site, and 3) clean up those sites.

Under Section 104(e)(2) of CERCLA, U.S. EPA has authority to gather information and to require persons to furnish information or documents relating to:

- A. The identification, nature, and quantity of materials which have been or are generated, treated, stored or disposed of at a vessel or facility or transported to a vessel or facility;
- B. The nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at/or from a vessel or facility;
- C. The ability to pay the costs of the clean up.

Enclosure six is a summary of this legal authority. Compliance with this Information Request is mandatory. Failure to respond fully and truthfully to each question within this Information Request and within the prescribed time frame can result in an enforcement action by U.S. EPA pursuant to Section 104(e)(5) of CERCLA, as amended. Failure to respond and/or failure to justify the non-response can result in similar penalties under this Section. Further, Section 104(e)(5) authorizes the United States to seek penalties from a Federal Court of up to twenty-seven thousand five hundred dollars (\$27,500) for each day of continued noncompliance. The U.S. EPA considers noncompliance to be not only failure to respond to the Information Request, but also failure to respond completely and truthfully to each question in the Information Request.

The provision of false, fictitious or fraudulent statements or misrepresentations may subject you or your firm to criminal penalties of up to twenty seven thousand five hundred dollars (\$27,500) or up to five (5) years imprisonment, or both, under 18 U.S.C.\$1001.

The U.S. EPA has the authority to use the information requested in an administrative, civil, or criminal action.

This information request is not subject to the approval requirements of the Paperwork Reduction Act of 1995, 44 U.S.C.\$3501 et seq.

Return your response to U.S. EPA within thirty days of your receipt of this Information Request. Mail your response to:

G. Marie Watts
Enforcement Specialist
U.S. Environmental Protection Agency
Remedial Enforcement Support Section
77 W. Jackson SR-6J
Chicago, IL 60604

If you have questions about a legal matter, please call
Ms. Nola Hicks, Assistant Regional Council at (312)312-886-7949.
Address technical questions to the Remedial Project Manager,
Ron Murawski, at (312) 886-2940. Address all other questions to
G. Marie Watts, Enforcement Specialist at (312) 886-7591.

We appreciate your effort to respond fully and promptly to this
information request.

Sincerely,

A handwritten signature in black ink, appearing to read "Wendy L. Carney", with a long, sweeping flourish extending to the right.

Wendy L. Carney, Chief
Remedial Response Branch #1

Enclosures:

1. Site History
2. Questions
3. Instructions
4. Definitions
5. Confidential Business Information
6. Description of Legal Authority
7. Small Business Enclosure

Enclosure 1

SITE HISTORY ELEMENTS

1. Ilada Waste Company is located in a rural area in southwestern St. Clair County, approximately one mile southwest of Dupo, Illinois on Eim Station Road. The site consists of a three acre parcel of land situated on a wooded hillside.
2. The area surrounding the site is characterized by two distinct geologic settings. The western half lies in the Mississippi River flood plain. The flood plain consists of about 100 to 200 feet of alluvial deposits. These overlook bedrock of the Lower Mississippian System, composed predominantly of limestone with interbedded layers of shale. To the east of the site the land rises to form a ridge with elevations of 100 to 200 feet above the flood plain. It is highly weathered and exhibits distinct karst characteristics. Between 30 and 70 feet of clayey loess deposits over bedrock of the Middle and Upper Mississippian Systems. This bedrock consists predominantly of limestone with interbedded layers of shale and sandstone.
3. Population in the area is predominantly rural and agricultural. Private groundwater wells are used to supply drinking water to rural residents near the Site. Most area residents are served by municipal drinking water supplies obtained from the Mississippi River.
4. Crude oil has been produced on-site since 1939. During oil production, a mixture of crude oil and brine was pumped from two on-site wells into one of a number of gunbarrel tanks. The oil and brine were separated in the gunbarrel tanks. The oil was sold locally as fuel oil; the brine was stored in one of five brine lagoons or in several storage tanks. Waste brine was disposed of into a 3,000 foot deep injection well. Waste oil was accepted on-site from approximately 1979 to 1982. Waste oil was stored on-site in above ground storage tanks. Some unprocessed waste oil was sold locally for use in road dust control; the remainder was either disposed of in the brine injection well or processed on-site, blended with crude oil and sold for fuel. The waste oil was processed in an on-site still by heating to separate water and sludge from the oil. The separated water was disposed of in the injection well; the sludge was either disposed of in the injection wells or sold for road dust control.

The potential for groundwater contamination due to past activities at this site appears to be high. Polychlorinated bi-phenyl (PCB) contamination has been observed in water from pits and soils on the site. Soils in this area have relatively low permeabilities, but their thickness is not great. The weathered condition of the soils and bedrock increases the potential for groundwater contamination.

5. The Preliminary Assessment/Site Inspection phase of the project is essentially complete. In the 1980s and 1990s, the U.S. EPA and Illinois EPA issued reports relating to the preliminary assessment and inspection of the Site.
6. This Information Request is being sent so that U.S. EPA may identify potentially responsible parties (i.e., current or former owners, operators, generators, and/or transporters) associated with the Site that may perform the Remedial Investigation/Feasibility Study portion of the project.

ENCLOSURE 2

INFORMATION REQUEST

1. Did you ever use, purchase, store, treat, dispose, transport or otherwise handle any materials at the Site? If the answer to the preceding question is anything but an unqualified "no", identify:
 - a) the chemical composition, characteristics, physical state (e.g., solid, liquid) of each material;
 - b) who supplied you with such material;
 - c) how such materials were used, purchased, generated, stored, treated, transported, disposed of or otherwise handled by you;
 - d) when such materials were used, purchased, generated, stored, treated, transported, disposed of or otherwise handled by you;
 - e) where such materials were used, purchased, generated, stored, treated, transported, disposed of or otherwise handled by you; and
 - f) the quantity of such materials used, purchased, generated, stored, treated, transported, disposed of or otherwise handled by you.
2. State the dates during which you owned, operated, or leased the Site and provide copies of all documents evidencing or relating to such ownership, operation, or lease arrangement (e.g., deeds, leases, etc.)
3. Identify the prior owners of the Site. For each prior owner, further identify:
 - a) the dates of ownership;
 - b) all evidence showing that they controlled access to the Site; and
 - c) all evidence that a hazardous substance, pollutant, or contaminant, was released or threatened to be released at the Site during the period that they owned the Site.
4. Identify the prior operators, including lessors, of the Site.

For each operator, further identify:

- a) the dates of operation;
 - b) the nature of prior operations at the Site;
 - c) all evidence that they controlled access to the Site;
 - d) all evidence that a hazardous substance, pollutant, or contaminant was released or threatened to be released at or from the Site and/or its solid waste units during the period that they were operating the Site.
5. Provide copies of all local, state and federal environmental permits ever granted for the Facility or any part thereof (e.g., RCRA permits, NPDES permits, etc.)

Enclosure 3

INSTRUCTIONS

1. Answer each of the questions in this Information Request separately.
2. Precede each answer with the number of the question to which it corresponds.
3. In answering each question, identify all persons and contributing sources of information.
4. Although the U.S. EPA seeks your cooperation in this investigation, CERCLA requires that you respond fully and truthfully to this Information Request. False, fictitious, or fraudulent statements or misrepresentations may subject you to civil or criminal penalties under federal law. Section 104 of CERCLA, 42 U.S.C. § 9604, authorizes the U.S. EPA to pursue penalties for failure to comply with that Section, or for failure to respond adequately to requests for submissions of required information.
5. In answering each question, identify all persons and contributing sources of information.
6. You must supplement your response to U.S. EPA if, after submission of your response, additional information should later become known or available. Should you find at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify U.S. EPA as soon as possible.
7. For any document submitted in response to a question, indicate the number of the question to which it responds.
8. You must respond to each question based upon all information and documents in your possession or control, or in the possession or control of your current or former employees, agents, contractors, or attorneys. Information must be furnished regardless of whether or not it is based on your personal knowledge, and regardless of source.
9. Your response must be accompanied by the following statement, or one that is substantially equivalent:

I certify under a penalty of law that this document and all Enclosures were prepared under my direction or supervision in accordance with a system designed to assure that

qualified personnel properly gathered and evaluated the information submitted.

Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

The individual who prepared the response or the responsible corporate official acting on behalf of the corporation must sign and date the statement, affidavit, or certification. Include the corporate official's full title.

10. If any of the requested documents have been transferred to others or have otherwise been disposed of, identify each document, the person to whom it was transferred, describe the circumstances surrounding the transfer or disposition, and state the date of the transfer or disposition.
11. All requested information must be provided notwithstanding its possible characterization as confidential information or trade secrets. If desired, you may assert a business confidentiality claim by means of the procedures described in Enclosure 5.

Enclosure 4

DEFINITIONS

1. As used in this letter, words in the singular also include the neutral and words in the masculine gender also include the feminine and vice versa.
2. The term *person* as used herein includes, in the plural as well as the singular, any natural person, firm, contractor, unincorporated association, partnership, corporation, trust or governmental entity, unless the context indicates otherwise.
3. *The Site* referenced in these documents shall mean the Ilada Waste located in Illinois Dupo.
4. The term *hazardous substance* shall have the same definition as that contained in Section 101(14) of CERCLA, including any mixtures of such hazardous substances with any other substances, including petroleum products.
5. The term, *pollutant* or *contaminant*, shall have the same definition as that contained in Section 101(33) of CERCLA, and includes any mixtures of such pollutants and contaminants with any other substances.
6. The term *release* shall have the same definition as that contained in Section 101(22) of CERCLA, and means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance, pollutant, or contaminant.
7. The term *identify* means, with respect to a natural person, to set forth the person's full name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
8. The term *identify* means, with respect to a corporation, partnership, businesses trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.

9. The term *identify* means, with respect to a document, to provide its customary business description, its date, its number, if any (invoice or purchase order number), the identity of the author, addressor, addressee and/or recipient, and the substance or the subject matter.
10. All terms not defined herein will have their ordinary meaning, unless such terms are defined in CERCLA, RCRA, 40 C.F.R., Part 300 or 40 C.F.R., Part 260-280, in which case, the statutory or regulatory definitions will apply.

Enclosure 5

CONFIDENTIAL BUSINESS INFORMATION

You may consider some of the information confidential that the U.S. Environmental Protection Agency (U.S. EPA or Agency) is requesting. You cannot withhold information or records upon that basis. The Regulations at 40 C.F.R. Part 2, Section 200 *et seq* require that the U.S. EPA affords you the opportunity to substantiate your claim of confidentiality before the Agency makes a final determination on the confidentiality of the information.

You may assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 C.F.R. 2.203(b). Information covered by such a claim will be disclosed by the U.S. EPA only to the extent and only by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. (See 41 Federal Register 36902 *et seq.* (September 1, 1976); 43 Federal Register 4000 *et seq.* (December 18, 1985).) If no such claim accompanies the information when the U.S. EPA receives it, the information may be made available to the public by the Agency without further notice to you. Please read carefully these cited regulations, together with the standards set forth in Section 104(e)(7) of Comprehensive Environmental Response Compensation Liability Act (CERCA), because, as stated in Section 104(e)(7)(ii), certain categories of information are not properly the subject of a claim of confidential business information.

If you wish the U.S. EPA to treat the information or record as "confidential", you must advise the U.S. EPA of that fact by following the procedures described below, including the requirement for supporting your claim of confidentiality. To assert a claim of confidentiality, you must specify which portions of the information or documents you consider confidential. Please identify the information or document that you consider confidential by page, paragraph, and sentence. You must make a separate assertion of confidentiality for each response and each document that you consider confidential. Submit the portion of the response that you consider confidential in a separate, sealed envelope. Mark the envelope "confidential," and identify the number of the question to which it is the response.

For each assertion of confidentiality, identify:

1. The period of time for which you request that the Agency consider the information confidential, e.g., until a specific date or until the occurrence of a specific event;

2. The measures that you have taken to guard against disclosure of the information to others;
3. The extent to which the information has already been disclosed to others and the precautions that you have taken to ensure that no further disclosure occurs;
4. Whether the U.S. EPA or other federal agency has made pertinent determination on the confidentiality of the information or document. If an agency has made such a determination, enclose a copy of that determination;
5. Whether disclosure of the information or document would be likely to result in substantial harmful effects to your competitive position. If you believe such harm would result from any disclosure, explain the nature of the harmful effects, why the harm should be viewed as substantial, and the causal relationship between disclosure and the harmful effect. Include a description of how a competitor would use the information;
6. Whether you assert that the information is voluntarily submitted as defined by 40 C.F.R. 2.201(I). If you make this assertion, explain how the disclosure would tend to lessen the ability of the U.S. EPA to obtain similar information in the future;
7. Any other information that you deem relevant to a determination of confidentiality.

Please note that pursuant to 40 C.F.R. 2.208(e), the burden of substantiating confidentiality rests with you. The U.S. EPA will give little or no weight to conclusory allegations. If you believe that facts and documents necessary to substantiate confidentiality are themselves confidential, please identify them as such so that the U.S. EPA may maintain their confidentiality pursuant to 40 C.F.R. 2.205(c). If you do not identify this information and documents as "confidential," your comments will be available to the public without further notice to you.

ENCLOSURE 6

DESCRIPTION OF LEGAL AUTHORITY

The Federal Superfund law (the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. Section 9601, et seq. (commonly referred to as CERCLA or Superfund) gives U.S. EPA the authority to, among other things: 1) assess contaminated sites, 2) determine the threats to human health and the environment posed by each site, and, 3) clean up those sites.

Under Section 104(e)(2) of CERCLA, 42 U.S.C. §9604 (e)(2), U.S. EPA has broad information gathering authority which allows U.S. EPA to require persons to furnish information or documents relating to:

- A. The identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of at a vessel or facility, or transported to a vessel or facility;
- B. The nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at/or from a vessel or facility;
- C. The ability to pay the costs of the clean up.

Compliance with this Information Request is mandatory. Failure to respond fully and truthfully to each question within this Information Request and within the prescribed time frame can result in an enforcement action by U.S. EPA pursuant to Section 104(e)(5) of CERCLA. This Section also authorizes an enforcement action with similar penalties if the recipient of the Request does not respond and does not justify the failure to respond. Other statutory provisions (18 U.S.C. §1001) authorize separate penalties if the responses contain false, fictitious or fraudulent statements. The U.S. EPA has the authority to use the information requested in this Information Request in an administrative, civil or criminal action.

**PRP LIST FIRST MAILING 104e ILADA WASTE
Owner/Operators**

Larson Industries
c/o Mr. Charles Larson
1309 Old Cement Hollow Road
East Carondolet, IL 62240

Ilada Energy Company
c/o Larry Wilson
Registered Agent
2141 Independence Street
Cape Girardeau, MO 63701

Ilada Energy Company
c/o Larry Wilson
2132 Osmond
Lawton, OK 73505

**PRP LIST FIRST MAILING 104e ILADA
Generators**

Amoco Oil Company
c/o Prentice Hall Corp.
Registered Agent
33 N. LaSalle Street
Chicago, IL 60602-2607

Amoco Oil Company
c/o BP Amoco
200 East Randolph Street
Chicago, IL 60601-6436

Bliss Waste Oil Company
c/o Mr. Jerry Bliss
1801 Park 270 Drive
St. Louis, MO 63146

General Electric Corp.
3135 Easton Turnpike
Fairfield, CT 06432-1041

[ne] McDonald Douglas Corp.
c/o Boeing Co.
P.O. Box 516
St. Louis, MO 63166-0516

McDonnell Douglas Corp.

Shell Oil Company
c/o Illinois Corp. Service Co.
Registered Agent
700 South Second Street
Springfield, IL 62704

Shell Oil Company
c/o Equilon Enterprises
1100 Louisiana Street
Houston, TX 77002

Singer Sewing Machine Co.
915 Broadway, 18th Floor
New York, NY 10010

Dowzer Electric
c/o SPX Corp.
Dan McGrade
P.O. Box 3301
700 Terrace Point Drive
Muskegon, MI 49443

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

Glada with SR6-I GNL/1042

Postage	\$ 1.75
Certified Fee	0.30
Return Receipt Fee (Endorsement Required)	1.25
Restricted Delivery Fee (Endorsement Required)	5.80
Total	8.10

Postmark
Here

Sent To **EWERS TIRE & SERVICE**
 214 E PROMENADE ST
 MEXICO MO 65265

PS Form

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

EWERS TIRE & SERVICE
 214 E PROMENADE ST
 MEXICO MO 65265

2. Article Number

(Transfer from service label)

7001 0320 0006 1560 0762

PS Form 3811, March 2001

Domestic Return Receipt

Glada with SR6-I GNL/1042

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery
 7/7/04

C. Signature
 X *Glada E. Miller* ☐ Agent ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

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